

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JULIO NAJERA,**

**Plaintiff,**

**v.**

**No. 22-cv-0074 MIS/SMV**

**BULL HORN, INC.,**

**Defendant.**

**ORDER GRANTING MOTION TO WITHDRAW**

THIS MATTER is before the Court on Plaintiff's counsel's Motion to Withdraw as Counsel for Plaintiff and Unopposed Motion to Extend Case Deadlines [Doc. 18] ("Motion"), filed on July 14, 2022, and Plaintiff's counsel's Notice of Compliance with Local Rule 83.8(b) [Doc. 20], filed on August 3, 2022. For the reasons stated below, the Court will grant the Motion.

Plaintiff's attorneys, Melinda Arbuckle and Ricardo J. Prieto of Shellist Lazarz Slobin, LLP ("Attorneys"), filed the Motion on July 14, 2022. [Doc. 18]. In accordance with D.N.M.LR-Civ. 83.8(b), Attorneys served the Motion on all parties, including Plaintiff. *See* [Doc. 18] at 3. Attorneys sent the Motion to Plaintiff by certified return receipt postal service and by email to Plaintiff's last known physical and electronic addresses. *Id.* The Motion provided notice to all parties, including Plaintiff, that objections must be filed within 14 days of July 14, 2022. *Id.* at 1; *see* D.N.M.LR-Civ. 83.8(b). The deadline for filing objections expired July 28, 2022. Neither Defendants nor Plaintiff objected to the Motion. [Doc. 20]. Under D.N.M.LR-Civ. 83.8(b), "failure to object within [14 days of service of the Motion] constitutes consent to grant the [M]otion."

In the Motion, Attorneys requested that all case deadlines set in the Scheduling Order [Doc. 12] be extended by 30 days to minimize any prejudice to Plaintiff caused by their withdrawal. *Id.* Defendant does not oppose extension of the deadlines. This request is well-taken and will be granted.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Motion to Withdraw [Doc. 18] is **GRANTED**. Attorneys are terminated as counsel in this action. Plaintiff will proceed pro se. The Clerk is **DIRECTED** to update Plaintiff's contact information on the docket as follows: Julio Najera, 6410 Houma Road, Roswell, New Mexico, 88203, email: julionajera74@gmail.com.<sup>1</sup>

**IT IS FURTHER ORDERED** that the deadlines set forth in the Scheduling Order [Doc. 12] are extended as follows:

All other parties to identify in writing any expert witness to be used by such parties at trial and to provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) by:	<b>September 19, 2022</b>
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Termination date for discovery:	<b>November 16, 2022</b>
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Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) to be filed with the Court and served on opposing parties by:	<b>December 7, 2022</b>
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Pretrial motions, other than discovery motions, shall be filed with the Court and served on the opposing party by:	<b>December 19, 2022</b>
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**IT IS SO ORDERED.**

  
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**STEPHAN M. VIDMAR**  
United States Magistrate Judge

<sup>1</sup> Attorneys represent in the Motion that this is the last known contact information for Plaintiff. [Doc. 18] at 1.